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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,204	12/18/2000	Te-Kai Liu	YOR9-2000-0635-US1	3508
35526	7590	07/29/2004	EXAMINER	
DUKE. W. YEE YEE & ASSOCIATES, P.C. P.O. BOX 802333 DALLAS, TX 75380			LASTRA, DANIEL	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,204

Applicant(s)

LIU ET AL.

Examiner

DANIEL LASTRA

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-40 and 42-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-40 and 42-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-7, 9-40 and 42-62 have been examined. Application 09/740,204 (METHOD AND APPARATUS FOR AN ELECTRONIC BILLBOARD SYSTEM; assignment: IBM; Applicants: Liu, Te-Kai; Huang, Yun-Wu; Wood, David Alvra) has a filing date 12/18/2000.

Response to Amendment

2. In response to Office Action dated 01/28/04, the Applicant amended claims 1, 12, 28, 33, 34, 45, 61, 62 and cancel claims 8 and 41.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9-16, 20, 21, 23-31, 33-40, 42-49, 53, 54 and 56-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al (U.S. 6,549,625) in view of McCoy et al (U.S. 6,526,575).

As per claim 1, Rautila teaches:

A method in a data processing system for presenting information, the method comprising:

determining whether an advertisement is to be presented (see column 3, lines 27-40; column 4, lines 15-32; column 7, lines 51-65);

presenting the advertisement on at least one display device for at least one item in the data processing system (see column 2, line 13 – column 3, line 4; column 4, lines 15-32; column 7, lines 51-65; figure 3; column 10, lines 9-46);

Rautila fails to teach wherein the advertisement is automatically presented based on schedule time and duration, and wherein the advertisement is selected from a predetermined schedule of advertisements to be presented. However, McCoy teaches a system for distributing and broadcasting multimedia, where advertisements are automatically presented to users based on a schedule time and duration and wherein the advertisements or promotions presented to users reflect the preference of the scheduling system (see column 3, lines 25-30; column 16, line 40 – column 17, line 23; column 21, lines 40-45). Rautila teaches “each information source 50 provides a display of information and has an associated display driver including processor which is designed to attract the attention of the users of the mobile terminal 12 to induce the users to communicate with the databases within the IP network, including server(s) with database 26, to obtain more detailed information associated with the identification information which is transmitted by the communication link 24...The display 50 are a form of billboard and may contain diverse information but in environment where marketing is to be performed, the information is directed to soliciting the attention of the users of the mobile terminals 12 to obtain more information about the goods and services available for purchase which are described in the display” (see column 10, lines 8-20; 37-42). Also, Rautila teaches “A billboard type display may be utilized to display advertisement information or other information from a plurality of information

sources which are viewed from a public place, such as airport, through which multiple users of mobile terminals pass to attract their attention in a classic advertising manner" (see column 4, lines 15-20). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that a broadcast location would schedule the time and duration of advertisements to be displayed in a billboard, as taught by McCoy for the purpose of obtaining interest from the user of the mobile terminals, as taught by Rautila. The advertisements would be displayed for a period of time that would encourage users to obtain additional information from it.

Rautila teaches:

and responsive to a request from a mobile device for the advertisement for at least one item, transmitting the advertisement for the at least one item to the mobile device (see column 2, line 13 – column 3, line 4; column 4, lines 15-54; column 7, lines 1-10; column 7, lines 51-65; figure 3; column 9, lines 34-42; column 10, lines 9-46).

As per claim 2, Rautila teaches:

The method of claim 1, wherein the item is a product (see column 10, lines 37-46).

As per claim 3, Rautila teaches:

The method of claim 1, wherein the item is a service (see column 10, lines 37-46).

As per claim 4, Rautila teaches:

The method of claim 1, wherein the information is transmitted as an extensible markup language document (see column 8, lines 55-62).

As per claim 5, Rautila teaches:

The method of claim 1, wherein the request includes an establishment of a connection with the data processing system by the mobile device (see column 7, lines 51-65).

As per claim 6, Rautila teaches:

The method of claim 1, wherein the information includes a list of items and provides for further user action (see column 7, lines 50-65; column 9, lines 11-42).

As per claim 7, Rautila teaches:

The method of claim 1, wherein the further user action includes at least one of initiating a transaction for an item, obtaining further information about the item, and obtaining information about another item (see column 10, lines 9-46; column 7, lines 1-10).

As per claim 9, Rautila teaches:

The method of claim 1, wherein the data processing system is connected to at least one remote data processing system, further comprising:

receiving new advertisements for presentation from the at least one remote data processing system (see column 7, line 51 – column 8, line 13).

As per claim 10, Rautila teaches:

The method of claim 7, wherein the data processing system is connected to at least one remote data processing system, further comprising:

forwarding the transaction initiated by the user to the at least one remote data processing system for processing (see column 7, lines 1-10).

As per claim 11, Rautila teaches:

The method of claim 7, wherein the data processing system is connected to at least one remote data processing system, further comprising:

retrieving the information about the at least one item from one or more remote data processing systems (see column 4, lines 33-55).

Claim 12 contains the same limitations as claim 1 therefore the same rejection is applied.

As per claim 13, Rautila teaches:

The method of claim 12, wherein the request comprises an establishment of the wireless communications link between the data processing system and the mobile device (see column 7, line 51 – column 8, line 13).

As per claim 14, Rautila teaches:

The method of claim 12, wherein the request is a selection of the item from a list of items by a user at the mobile device (see column 10, lines 37-46).

As per claim 15, Rautila teaches:

The method of claim 12, wherein the additional information is sent in the form of an extensible markup language document (see column 8, lines 55-62).

As per claim 16, Rautila teaches:

The method of claim 12, wherein the additional information prompts a user at the mobile device to input an action (see column 7, lines 51-65).

As per claim 20, Rautila teaches:

The method of claim 12, wherein the item is at least one of a service and a good (see column 10, lines 37-46).

As per claim 21, Rautila teaches:

The method of claim 12, wherein the sending step comprises:
requesting approval to send the additional information and sending the additional information in response to receiving the approval (see column 7, lines 51-65; column 5, lines 39-51).

As per claim 23, Rautila teaches:

The method of claim 12, wherein the sending step comprises multicasting the additional information to each mobile device approving sending of the additional information (see column 5, lines 15-65).

As per claim 24, Rautila teaches:

The method of claim 12 further comprising: receiving new information for presentation on the display device from another data processing system (see column .

As per claim 25, Rautila teaches:

The method of claim 12, wherein the request is a first request and further comprising:

executing a transaction involving the item in response to receiving a second request, wherein the second request is for a transaction (see column 7, lines 1-10).

As per claim 26, Rautila teaches:

The method of claim 25, wherein the executing step comprises:

sending transaction information to the mobile device in response to receiving the second request (see column 7, lines 1-10);

effecting the transaction in response to receiving a response to the transaction information from the mobile device and sending confirmation information to the mobile device after the transaction has been completed (see column 7, lines 1-10).

As per claim 27, Rautila teaches:

The method of claim 25, wherein the data processing system is connected to at least one remote data processing system and the said transaction is executed by the at least one remote data processing system (see column 7, lines 1-10).

Claim 28 contains the same limitations as claim 1 therefore the same rejection is applied.

As per claim 29, Rautila teaches:

The data processing system of claim 28, wherein the bus system includes a primary bus and a secondary bus (see figure 1).

As per claim 30, Rautila teaches:

The data processing system of claim 28, wherein the processor unit includes a single processor (see column 7, lines 23-28).

As per claim 31, Rautila teaches:

The data processing system of claim 28, wherein the processor unit includes a plurality of processors (see column 7, lines 23-28).

Claim 33 contains the same limitations as claim 12 therefore the same rejection is applied.

Claim 34 contains the same limitations as claim 1 therefore the same rejection is applied.

Claim 35 contains the same limitations as claim 2 therefore the same rejection is applied.

Claim 36 contains the same limitations as claim 3 therefore the same rejection is applied.

Claim 37 contains the same limitations as claim 4 therefore the same rejection is applied.

Claim 38 contains the same limitations as claim 5 therefore the same rejection is applied.

Claim 39 contains the same limitations as claim 6 therefore the same rejection is applied.

Claim 40 contains the same limitations as claim 7 therefore the same rejection is applied.

Claim 42 contains the same limitations as claim 9 therefore the same rejection is applied.

Claim 43 contains the same limitations as claim 10 therefore the same rejection is applied.

Claim 44 contains the same limitations as claim 11 therefore the same rejection is applied.

Claim 45 contains the same limitations as claim 12 therefore the same rejection is applied.

Claim 46 contains the same limitations as claim 13 therefore the same rejection is applied.

Claim 47 contains the same limitations as claim 14 therefore the same rejection is applied.

Claim 48 contains the same limitations as claim 15 therefore the same rejection is applied.

Claim 49 contains the same limitations as claim 16 therefore the same rejection is applied.

Claim 53 contains the same limitations as claim 20 therefore the same rejection is applied.

Claim 54 contains the same limitations as claim 21 therefore the same rejection is applied.

Claim 56 contains the same limitations as claim 23 therefore the same rejection is applied.

Claim 57 contains the same limitations as claim 24 therefore the same rejection is applied.

Claim 58 contains the same limitations as claim 25 therefore the same rejection is applied.

Claim 59 contains the same limitations as claim 26 therefore the same rejection is applied.

Claim 60 contains the same limitations as claim 27 therefore the same rejection is applied.

Claim 61 contains the same limitations as claim 1 therefore the same rejection is applied.

Claim 62 contains the same limitations as claim 12 therefore the same rejection is applied.

Claims 17, 18, 50 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al (U.S. 6,549,625) in view of McCoy et al (U.S. 6,526,575) and further in view of Owensby (U.S. 6,647,257).

As per claim 17, Rautila and McCoy teach the method of claim 12, but fail to teach wherein the additional information includes selected information based on a profile associated with the mobile device. Owensby teaches, "a method of inserting advertisements into a wireless mobile communication. The advertisements are targeted to the subscriber of the basis of: location of the terminal at the time the wireless mobile communication, demographic and personal preference data pertaining to the subscriber. In yet another alternative embodiment, the subscriber is queried at the conclusion to select one of several options. Based on the subscriber's response, the system may provide additional information relating to the targeted message" (see abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Rautila and McCoy would provide additional information in response to a subscriber's request for information related to an advertisement which was targeted based on the user's profile, as taught by Owensby. Targeting advertisements based on a user's profile would increase the probability that the advertisement would reach its intended target and would not be wasted.

As per claim 18, Rautila and McCoy teach, the method of claim 17, but fail to teach wherein the profile includes demographic information about a user. However, the same rejection applied to claim 17 is applied to claim 18.

Claim 50 contains the same limitations as claim 17 therefore the same rejection is applied.

Claim 51 contains the same limitations as claim 18 therefore the same rejection is applied.

Claims 19, 22, 52 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al (U.S. 6,549,625) in view McCoy et al (U.S. 6,526,575) and further in view of Burke et al (U.S. 4,468,813).

As per claim 19, Rautila and McCoy teach the method of claim 12, but fail to teach wherein the additional information includes a selected amount of detail about the item based on a mobile device type. Burke teaches about a system that permits base interrogation of mobile units to determine if a message has been stored for review by the base operator and to determine recording capacity and total recording capacity of the mobile unit (see abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Rautila and McCoy would adjust the amount of information presented to a mobile unit depending upon the total recording capacity of the unit, as taught by Burke. This feature would allow the Rautila system to better target messages to mobile units as the units would only be targeted with messages that are equal to, or lesser than, the mobile unit memory capacity.

As per claim 22, Rautila and McCoy teach the method of claim 12, but fail to teach further comprising: means for collecting information about the mobile device. Burkes teaches about a system that collects information on the total recording capacity of a mobile device (see abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Rautila and McCoy would adjust the amount of information presented to a mobile unit depending of the total recording capacity of the unit, as taught by Burke. This feature would allow the Rautila system to better target messages to mobile units as the units would only be targeted with messages that equal to, or lesser than, the mobile unit memory capacity.

Claim 52 contains the same limitations as claim 19 therefore the same rejection is applied.

Claim 55 contains the same limitations as claim 22 therefore the same rejection is applied.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al (U.S. 6,549,625) in view of McCoy et al (U.S. 6,526,575) and further in view of Slemmer et al (U.S. 6,377,990).

As per claim 32, Rautila and McCoy teach the data processing system claim 28, but fail to teach wherein the communications unit is an Ethernet adapter. Slemmer teaches about a method where mobile users connect their computers to an Ethernet network, which give them access to the Internet (see column 1, lines 39-47). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Rautila and McCoy would provide a mobile terminal

to connect to a database using an Ethernet network, as taught by Slemmer. This feature would allow mobile users to connect to external databases via a wire or wireless method.

Response to Arguments

4. Applicant's arguments with respect to claims 1-7, 9-40 and 42-62 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

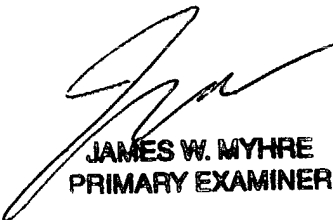
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Daniel Lastra
June 14, 2004


JAMES W. MYHRE
PRIMARY EXAMINER